

REMARKS

In the outstanding Office Action, claims 1, 3-6, and 10-14 were rejected. Claims 3-6 and 10-14 have been amended for clarification, and claim 1 has been cancelled without prejudice. No new claims have been added. Thus, claims 2-14 are pending and under consideration. Claims 2, 7, 8, and 9 are allowed. No new matter has been added. The rejections are traversed below.

As an initial matter, Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representatives on March 1, 2004. During the interview the patentability of the pending claims over the applied art was discussed, and no agreement was reached pending an updated search and consideration when a response is filed. Also during the discussion, the Examiner suggested that Applicants look to the indicated allowable claims to identify subject matter to distinguish over the applied art.

In light of the Examiner's suggestion, claims 3-6 have been amended to depend from allowable claim 2. Further, claims 10-14 have been amended to include features similar to those of allowable claim 2.

CLAIM REJECTIONS UNDER 35 U.S.C. §102 (e):

At item 3 of the outstanding Office Action, claims 1, 4-6 and 10-14 are rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,298,173 issued to Lopresti. This rejection is traversed and reconsideration is respectfully requested.

Claim 1 has been cancelled. Accordingly, Applicants respectfully submit that the rejection of claim 1 is moot.

Claims 4-6 have been amended to depend from claim 2, which the Examiner has allowed. In item 5 at page 8 of the Office Action in the Examiner's statement of reasons for allowance, the Examiner states that "[t]he prior art neither singly nor in combination disclose a rule setup unit further storing application ranking of each of the ranking rules associated with the attributes, and the assignment unit applies the ranking rules in the application ranking order to determine the reduction ranking of the files." Thus, as claims 4-6 now depend from allowed claim 2, Applicants respectfully submit that claims 4-6, in their amended form, are in condition for allowance.

Based on the Examiner's suggestion, claims 10-14 have also been amended to include

features similar to those of allowable claim 2. Thus, Applicants respectfully submits that claims 10-14 are also in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. §103 (a):

At item 4 of the outstanding Office Action, claim 3 is rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 6,298,173 issued to Lopresti in view of U.S. Patent No. 5,276,867 issue to Kenley et al.

As the Examiner has indicated that claim 2 is allowable, Applicants have amended claim 3 to depend from claim 2. Thus, Applicants respectfully submit that the amended form of claim 3, which depends from an allowable claim, is also in condition for allowance.

CONCLUSION:

In accordance with the foregoing, claims 3-6 and 10-14 have been amended. Claim 1 has been cancelled. Thus, claims 2-14 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8-20-04

By: John C. Hany Reg 28,607

David M. Pitcher
Registration No. 25,908

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501